IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.22905 OF 1998

25.07.2005

Between:

Sarwar Salim S/o.Awadbin Ahmed

..... PETITIONERS

AND

The Presiding Officer,
Industrial Tribunal cum Labour Court Godavarikhani & others.

.....RESPONDENT(S)

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

–

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.22905 OF 1998

ORDER:

This writ petition is filed aggrieved by the award passed by the Industrial Tribunal-cum-Labour Court, Godavarikhani, in I.D.No.155 of 1992, dated 03.09.1997.

The claim petition filed by the petitioner under Section 2-A(2) of the Industrial Disputes Act, 1947 (for short 'the Act') was taken on file as I.D.No.155 of 1992. The Labour Court, after elaborate consideration of the material on record, came to the conclusion that the removal order dated 25.06.1981 was *ex facie* illegal as neither a detailed enquiry was conducted into it nor the procedure laid down under Section 25-F of the Act was followed and therefore, granted the relief of reinstatement into service but denied continuity of service, back wages and other attendant benefits. Aggrieved by the same, the present writ petition is filed.

It is very unfortunate to note that though the petitioner was removed from service on 25.06.1981, the claim petition under Section 2-A(2) of the Act was filed in the year 1992 after a lapse of 11 years and the same was entertained by the Labour Court. The Labour Court, however, on the merits of the case, answered the claim petition in favour of the petitioner insofar as directing the respondents to reinstate him into service. This writ petition is filed by the workman for further relief. The Labour Court has not committed any irregularity warranting interference of this Court. In fact, Labour Court itself entertained a stale petition and granted relief. Hence, I am of the considered opinion that the petitioner is not entitled to any further relief. The writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

_____

25.07.2005

usd